GOVERNMENT OF ANDHRA PRADESH
FOREST DEPARTMENT

Public Servants - Sri Shaik Salam, former Divisional Forest Officer, Guntur presently working as Divisional Forest Officer, Social Forestry, Srikakulam - Departmental Proceedings under Rule-20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules 1991 – Article of Charge – issued

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ANNEXURE - I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SRI SHAIK SALAM, THE THEN DIVISIONAL FOREST OFFICE, GUNTUR, PRESENTLY WORKING AS DIVISIONAL FOREST OFFICER, SOCIAL FORESTRY, SRIKAKULAM.

That the said Sri Shaik Salam while working as Divisional Forest Officer, Guntur has committed irregularity as mentioned in the following article of charge.

ARTICLE - I That Sri Shaik Salam, the then Divisional Forest Officer, Guntur, failed to supervise forest protection the works which resulted in grave irregularities (i) in nurseries & Plantations, b) amount booked without work done and c) infructuous expenditure for laying of inspection path besides protection wall to Mangalagiri RF d) Booking of expenditure without actually hiring vehicles in Guntur Range.

ARTICLE - II That Sri Shaik Salam, the then Divisional Forest Officer, Guntur, failed to supervise forest protection which resulted in execution of non-forestry works in violation of provisions of Forest (conservation) Act, 1980.

ARTICLE -III That Sri Shaik Salam, the then Divisional Forest Officer, Guntur, failed to monitor the survey work resulted in change of RF boundaries as well as prospecting operations for lime stone mining in said RF areas in Guntur Range.

Basis of Charge:

ARTICLE- I :-

ARTICLE - I That Sri Shaik Salam, the then Divisional Forest Officer, Guntur, failed to supervise the division administration which resulted in (i)a) grave irregularities in nurseries & Plantations, b) amount booked without work done and c) infructuous expenditure for laying of inspection path besides protection wall to Mangalagiri Reserve Forest d) Booking of expenditure without actually hiring vehicles.

Upon receipt of a CP, works of Guntur Range were got inspected by the Divisional Forest Officer, Vigilance-II, O/o Principal Chief Conservator of Forests, AP., Hyderabad who has conducted inspection and submitted his report vide Rc.No.09/Divisional Forest Officer, Vigilance-II/2013, Dt. 20.05.2013 & 15.07.2013.

(i)(a) Irregularities in nurseries & Plantations:

As per the said report of Divisional Forest Officer, Vigilance-II, an amount of Rs.19,75,650/- has been booked by the end of 2011-12, for production of 3,63,650 Nos Eucalyptus clones in Lamalle central Nursery, Mangalagiri section of Guntur Range. But, as per the Field Inspection Notes dt.17.04.2012 of Sri P. Bhaskar Reddy, I.F.S., the then Addl. Prl. Chief Conservator of Forests/Chief Conservator of Forests, Guntur, the infrastructure present in the nursery supports for raising of only 2.00 lakhs Eucalyptus Clones only.

It was further reported that, only 66 Sq. Mts area has been earmarked for production of clones (sand beds of 12X1 Mts – 4 nos. & 9X1 Mts.- 2nos.), which will be sufficient to load 35,000 Nos. of 100CC tubets at a time. But the projection made is 1,53,846 Nos of tubets at a time, which is not at all possible. This shows that for 1,63,650 clones @ Rs.5.43 an amount of Rs.8,88,620/- was booked without actually producing the clones in the nursery. These clones were procured from untested outside source at much lower costs.

(1)(b) Amount booked without work done :

Expenditure booked in failed plantations, even with 0% survival, and booked expenditure without work done, resulting in infructuous expenditure and embezzlement of Government money to the tune of Rs.21,15,399/-

The plantation-wise irregularity reported, is shown below:

Challapalli Thanda VSS 10 Ha Eucalyptus Plantation work(executed during 2012-13)

In this plantation an amount of Rs.91,000/- was allowed for different operations, though the plantation was found with 0% survival. No pass order & payment order was made. No signatures of the officers check measured the work were found.

Works like replacement of causalities, cost of chemicals, inter-ploughing, soil working, fire line creation & enumeration were not executed, but expenditure booked.

Apart from the above expenditure of Rs.91,000/- booked without execution of work, the overall expenditure allowed on various components on this failure plantation is 4,09,826/- and by including the cost of Rs.2,85,530/- Eucalyptus Clones and tilling operation, which is not done, the total expenditure is arrived at Rs.7,86,350/-, which is totally infructuous, as the plantation was found with (O)% survival.

2- Challapalli Thanda VSS 10 Ha Eucalyptus Plantation work (executed during 2011-12)

In this plantation an amount of Rs.82,000/- was allowed towards inter-ploughing and soil working, without carrying out the work. Survival noticed by the Vigilance party is 0%.

3- Rajupalem VSS 15 Ha Eucalyptus Plantation work (executed during 2012-13)

In this plantation an amount of Rs.1,29,622/- was booked towards replacement of causalities, inter ploughing, removal of coppice shoots, soil working and fixing of plantation stones. The survival of this plantation was hardly 20%, but expenditure allowed, without carrying out the work.

Apart from the above expenditure of Rs.1,29,622/- allowed without execution of work, the overall expenditure allowed on various components on this plantation with 20% survival is 3,80,057/- and by including the cost of Rs.1,48,440/- Eucalyptus Clones and tilling operation, which is not done, the total expenditure is arrived at Rs.6,58,119/-, which is totally infructuous, as the plantation was found with 20% survival.

4- Rajupalem VSS 7 Ha Misc Plantation work (executed during 2012-13)

In this plantation an amount of Rs.64,049/- was allowed towards replacement of causalities, inter ploughing, removal of coppice shoots, soil working, fire lines and enumeration. Though the survival of this plantation was 0%, expenditure allowed, without carrying out the work.

Apart from the above expenditure of Rs.64,049/- allowed without execution of work, the overall expenditure allowed on various components on this failed plantation with 0% survival is 2,23,755/. The total expenditure, including work done and not done is arrived at Rs.2,87,804/-, which is totally infructuous, as the plantation was found with 0% survival.

5- Beeravalli Paya VSS 15 Ha Eucalyptus Plantation work(executed during 2012-13)

The plantation was with 80% survival. But irregularities noticed are no signatures for pass orders and Measurement Book not recorded. An amount of Rs.7126/- was allowed towards plantation stones, which were not found. This amount is booked without work done.

6- Beeravalli Paya VSS 7 Ha Misc Plantation work (executed during 2012-13)

In this plantation an amount of Rs.63,439/- was booked towards replacement of causalities, inter ploughing, removal of coppice shoots, soil working, fire lines and enumeration, without carrying out the work. Survival of this plantation was found to be 50%.

Apart from the above expenditure of Rs.63,439/- allowed without execution of work, the overall expenditure allowed on various components on this plantation with 50% survival is 2,23,755/. The total expenditure, including work done and not

done is arrived at Rs.2,87,804/-, which is totally infructuous, as the plantation was found with 50% survival.

Other irregularities noticed were no signatures on pass orders, no pass orders and payment orders in certain items, MB not recorded & the entire amount was withdrawn in Febuary'2013.

7- Beeravalli Paya VSS 10 Ha Eucalyptus Plantation work(executed during 2012-13)

In this plantation an amount of Rs.6,800/- was allowed towards fire line creation, without carrying out the work. Survival of this plantation was found to be 80%. Other irregularities noticed were no pass orders and payment orders.

Computing the irregular expenditure allowed on above works, without actually execution, expenditure allowed on failed plantations, expenditure pertaining to Eucalyptus Clones and tilling operations, is shown in the table below:

Sl No of above shown Plantation	Expenditure booked without work done (amount in Rs)	Expenditure booked on other items, in addition to expenditure shown in Col-2 (amount in Rs)	Expenditure booked of Eucalyptus Clones & tilling operations (amount in Rs)	Total (amount in Rs)
1	**2**	**3**	**4**	**5**
1	91000	409826	285530	786356
2	82000	-	-	82000
3	129622	380057	148440	658119
4	64049	223755	-	287804
5	7126	-	-	7126
6	63439	223755	-	287194
7	6800	-	-	6800
TOTAL	**444036**	**1237393**	**433970**	**2115399**

As seen from the above details of (7) plantations, an amount of Rs.444036/-, was booked without work done and in addition to this expenditure booked on other items is Rs.12,37,393/- & expenditure of Rs.4,33,970/- pertains to Eucalyptus Clones and tilling operations, which is not at all carried out. Thus total expenditure allowed on these (7) plantations arrived at Rs.21,15,399/- is infructuous.

(1)(c) infructuous expenditure for laying of inspection path besides protection wall to Mangalagiri Reserve Forests:

An amount of Rs.2,59,500/- was booked for laying of inspection path besides protection wall to Mangalagiri RF. But the Vigilance Party was able to observe traces of inspection path formed only to a length of 400mts near the entry of protection wall, but expenditure booked is for a length of 1290 Mts. It has been further reported that presently the entire inspection path is full of Sissoo regenerated seedlings/ saplings. As such the entire expenditure is infructuous.

(1)(d) Booking of expenditure without actually hiring vehicles:-

Expenditure of Rs.1,85,000/- was allowed towards hiring of vehicles for striking force for August 2012 @ Rs.17000/- per month & from Sept 2012 to March 2013 @ Rs.24000/- per month, without actually hiring the vehicles.

Further instead of making payments through cheque, payments were made in cash, in violation of instructions leading to financial irregularity which is highly irregular.

From the above it is evident that Sri Shaik Salam, the then Divisional Forest Officer, Guntur., failed to supervise the works executed under his jurisdiction, identify the irregularities, take rectification measures before the vigilance party conducted inspection and pointed out irregularities.
Hence the charge.

ARTICLE-II:-

ARTICLE - II That Sri Shaik Salam, the then Divisional Forest Officer, Guntur, failed to supervise forest protection which has resulted in execution of non-forestry works in violation of provisions of A.P. Forest Act and Forest (conservation) Act, 1980.

Basis of charge:-

There are 2-cases of violation of provisions of Forest (conservation) Act, 1980.

1) Ghat road to Sri Venkateshwara Swamy Temple in Kondaveedu Reserve Forests was formed upto 2600 mts with 4.0 mts width X 0.3 mts depth. An amount Rs.2,21,874 was collected as C-Fees, as against the actual damage amounting to Rs.22,46,400/-, as per FSR.

2) Stage-I approval for diversion of 9.980 Ha in Kondaveedu Reserve Forests was accorded vide MoEF lr.dt.8.1.13 for laying of Ghat Road and Road was formed over a length of 1.645 Kms with a width of 4.0 Mts, without stage-II approval from MoEF.

As per the provisions of Forest (conservation) Act, no work shall be executed without receipt of Final approval from MoEF/ competent authority & any violation shall be reported to the MoEF.

But as seen from the above cases, the works of formation of roads were allowed, over lengths of 2.6 Kms & 1.645 Kms. This comes to 16.98 Ha against the 1st stage approval of 9.98 Ha.

Such non forestry works taken up in forest land, without due permission from MoEF, GOI & GoAP, is a clear violation of the provisions of Forest (conservation) Act, 1980.

From the above it is evident that Sri Shaik Salam, the then Divisional Forest Officer, Guntur., failed to stop the irregularity and also either to take rectification measures or to report to Higher authorities. The irregularity was kept in dark till the vigilance party conducted inspection and pointed out irregularities.

Hence the charge.

ARTICLE III:-

ARTICLE -III That Sri Shaik Salam, the then Divisional Forest Officer, Guntur, failed to monitor the survey work resulted in change of Reserve Forest boundaries as well as prospecting operations for lime stone mining in said RF areas in Guntur Range.

Basis of charge:-

The Divisional Forest Officer, Vigilance-II in his report dt.15.07.13, informed that Tangeda RF comprises of (4) Blocks i.e., Tangeda RF, Tangeda Extn-I RF, Tangeda Extn-II RF & Tangeda RF Extn-III, with a total area of 940 Ha. As verified from the field, the boundaries of these (4) blocks are changed. DGP Survey was carried out and variations were found from the original shape of the Forest blocks. When the Divisional Forest Officer, Vig-II enquired with the persons who did the DGP Survey, he was informed that, the boundaries were taken, wherever the local field staff had shown them. The Addl. Prl. Chief Conservator of Forests, GIS also informed that, Sri P. Srinivasa Rao, Forest Range Officer, has signed the DGP Surveyed maps, as an indication of correctness.

The Divisional Forest Officer ought to have test checked the correctness of the boundaries in the field by himself and confirmed whether the correct boundaries as per notification have been taken or not, instead he simply authenticated the DGP surveyed map excluding the large tracts of the notified forest land outside the RF which resulted in granting of prospecting license for limestone by the Industries and Commerce (Mines-II) Department vide G.O.Ms.No.147 dated 25.10.2012, over an extent of 983.29 acres in Sy.No.1127-B, Tangeda Village of Dachepally Mandal of Guntur District. The Operation of the G.O. was subsequently cancelled G.M.No.11169/M.IV(2)/2013-2,I&C(M.IV) Dept., dt.29.10.2013.

As per section-151 of AP Forest Code, (i) the Divisional Forest Officer, is responsible for general management and protection of the forest situated in his Division, the administration of the Division under his charge and execution of all forest works in the Division and exercise direct control over the forest establishment (ii) he exercises a direct control over the Forest establishment in the Division and it his duty to see that the executive, Protective, ministerial and other forest staff in the Division maintain discipline and attend to their duties properly.

From the above it is evident that, Sri Shaik Salam, the then Divisional Forest Officer, Guntur failed to supervise and monitor the works properly resulted in to grave irregularities noted above.

Thus, Sri Shaik Salam, has exhibited lack of integrity, discipline and devotion to duty and conduct unbecoming of a Government Servant thereby contravened Rule 3 of the Andhra Pradesh Civil Service (Conduct) Rules, 1964.

Hence the charge.

ASHWINI KUMAR PARIDA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-II

LIST OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGE FRAMED AGAINST SRI SHAIK SALAM, FORMER DIVISIONAL FOREST OFFICER, GUNTUR PRESENTLY WORKING AS DIVISIONAL FOREST OFFICER, S.F, SRIKAKULAM.

Divisional Forest Officer, Vigilance-II, O/o Prl.CCF, AP, Hyderabad Rc.No.09/DFO,Vig-II/2013, Dt.20.05.2013, statements of expenditure & statements recorded thereof.

Divisional Forest Officer, Vigilance-II, O/o Prl.CCF, AP, Hyderabad Rc.No.09/DFO,Vig-II/2013, Dt. 15.07.2013 & statements recorded thereof.

ASHWINI KUMAR PARIDA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE-III

LIST OF WITNESS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI SHAIK SALAM, FORMER DIVISIONAL FOREST OFFICER, GUNTUR PRESENTLY WORKING AS DIVISIONAL FOREST OFFICER, S.F, SRIKAKULAM

Sri R Srinivas Reddy, Divisional Forest Officer, Vigilance-II O/o PCCF (HoFF) Hyderabad.

Sri J.V.Subba Reddy Forest Range Officer, Vigilance-II.

ASHWINI KUMAR PARIDA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER